

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:07cv117**

**NATASHA SINCLAIR,**

**Plaintiff,**

**Vs.**

**MOBILE 360, INC.; AUTO  
ADVANTAGE, INC.; KEVIN  
GEAGAN; and GERALD ELDRIDGE,**

**Defendants/Third-  
Party Plaintiffs**

**Vs.**

**MICHAEL KITCHEN,**

**Third-Party  
Defendant/ Counter-  
Claim Plaintiff,**

**Vs.**

**MOBILE 360, INC.; AUTO  
ADVANTAGE, INC.; KEVIN  
GEAGAN; and GERALD ELDRIDGE,**

**Counterclaim  
Defendants.**

**ORDER**

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**THIS MATTER** is before the court on Natasha Sinclair's and Michael Kitchen's Motion to File Exhibits Under Seal (#50). For cause, the moving parties have shown that the exhibits contain account numbers that should not be made part of the public record in order to insure financial privacy. The movants do not,

however, reflect consultation with the non-moving parties, which is required under Local Civil Rule 7.1(B). Inasmuch as the motion is the type that is beneficial to the privacy interests of the non-movants, the court will overlook the procedural error.

By filing the checks as an exhibit to the motion, however, the movants have made such checks available for interim public review, and the court will direct that docket entries 50-2 through 50-6 be stricken. ( See LCvR 6.1(C)(1) as to the proper method for describing documents sought to be sealed.)

Having considered the factors under LCvR 6.1(C)(1), and finding that the sealing of exhibits that reflect confidential financial information such as account numbers is in furtherance of a compelling interest in financial privacy and the prevention of fraud or identity theft, the court will allow the moving parties to file such exhibits under seal.

### **ORDER**

**IT IS, THEREFORE, ORDERED** that Natasha Sinclair's and Michael Kitchen's Motion to File Exhibits Under Seal (#50) is **ALLOWED**, and movants as well as all other parties in the case are **GRANTED** leave to file under seal any document that contains a financial account number that cannot otherwise be redacted as required by Rule 5.2(a)(4), Federal Rules of Civil Procedure. Docket entries 50-2 through 50-6 are **STRICKEN** to protect financial privacy.

Signed: June 17, 2008

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

